

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORKUSDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC#  
DATE FILED: 8/4/08-----X  
DIONNE LEE

Plaintiff

RICHARD K. BAWUAH and  
COWAN EQUIPMENT LEASING

Civil Action No. 07-cv-9917

Defendants  
-----XDEFENDANTS', RICHARD K. BAWUAH AND COWAN EQUIPMENT LEASING,  
MOTION FOR RECONSIDERATION PURSUANT TO S.D.N.Y. LOCAL CIVIL RULE6.3

PLEASE TAKE NOTICE that on the \_\_\_\_ day of \_\_\_\_\_, 2008, at 9:30 a.m., or as soon thereafter as counsel may be heard, the undersigned shall apply to the Honorable Andrew J. Peck, U.S.M.J. at the United States District Court, Southern District of New York, located at the Daniel Patrick Moynihan U.S. Courthouse, 500 Pearl Street, New York City, New York 10007-1312 on behalf of Defendants, Richard K. Bawuah and Cowan Equipment Leasing in the above-captioned matter for an Order, pursuant to S.D.N.Y. Local Civil Rule 6.3 for Reconsideration of The Honorable Magistrate Peck's July 23, 2008 Order Denying Defendants' Motions in Limine requesting: (1) The Exclusion of expert testimony of Aric Hausknecht, M.D.; (2) The application of New Jersey Law; and (3) To Preclude Plaintiff's wage loss claim.

The moving defendants shall rely on the annexed Certification of Counsel, Exhibits and Legal Brief in support of this Notice of Motion.

**BY FAX****MEMO ENDORSED**

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On reconsideration, the Court addresses to its original decision, subject (as previously indicated) to the proper application of the rules at trial. The Court concludes that the difference between the original and the proposed order is that the original order was issued, and the Court now wants to bring the proposed order to the 50% variance.

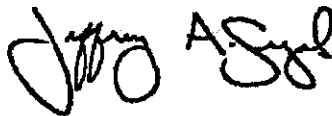
SO ORDERED:

Hon. Andrew Jay Peck  
United States Magistrate Judge

**PLEASE TAKE FURTHER NOTICE** oral argument is requested.

Date: July 31, 2008

Yours, etc.,  
**RAWLE & HENDERSON LLP**

A handwritten signature in black ink, appearing to read "Jeffrey A. Segal". The signature is stylized with a large, looped "J" and "S".

By: \_\_\_\_\_

Jeffrey A. Segal  
Attorneys for Defendants, Richard K. Bawuah  
and Cowan Equipment Leasing  
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New York, New York 10005  
File No. 801840  
(212)858-7570

# FAX TRANSMITTAL SHEET



**ANDREW J. PECK  
UNITED STATES MAGISTRATE JUDGE  
UNITED STATES DISTRICT COURT**

Southern District of New York  
United States Courthouse  
500 Pearl Street, Room 1370  
New York, N.Y. 10007-1312

Fax No.: (212) 805-7933  
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**Dated:** August 4, 2008

**Total Number of Pages:** 3

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## **TRANSCRIPTION:**

### **MEMO ENDORSED 8/4/08**

On reconsideration, the Court adheres to its original decision, subject (as previously indicated) to specific objections to specific witnesses at trial. The Court also notes that the difference between NY and NJ law only will apply if plaintiff is found to be 50% or more responsible, so the issue will be moot if the jury finds plaintiff less than 50% responsible.